



**DEPARTMENT OF EDUCATION**

**Arbitration Panel Decisions under the Randolph-Sheppard Act**

**AGENCY:** Office of Special Education and Rehabilitative Services, Department of Education.

**ACTION:** Notice.

**SUMMARY:** This notice lists arbitration panel decisions under the Randolph-Sheppard Act that the Department of Education (Department) made publicly available in accessible electronic format during the fourth quarter of 2022. All decisions are available on the Department's website and by request.

**FOR FURTHER INFORMATION CONTACT:** James McCarthy, U.S. Department of Education, 400 Maryland Avenue, SW, room 5064D, Potomac Center Plaza, Washington, DC 20202-2800. Telephone: (202) 245-6703. Email: [james.mccarthy@ed.gov](mailto:james.mccarthy@ed.gov).

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

**SUPPLEMENTARY INFORMATION:** For the purpose of providing individuals who are blind with remunerative employment, enlarging their economic opportunities, and stimulating greater efforts to make themselves self-supporting, the Randolph-Sheppard Act, 20 U.S.C. 107 et seq. (Act), authorizes individuals who are blind to operate vending facilities on Federal property and provides them with a

priority for doing so. The vending facilities include, among other things, cafeterias, snack bars, and automatic vending machines. The Department administers the Act and designates an agency in each participating State -- the State licensing agency (SLA) -- to license individuals who are blind to operate vending facilities on Federal and other property in the State.

The Act provides for arbitration of disputes between SLAs and vendors who are blind and between SLAs and Federal agencies before three-person panels, convened by the Department, whose decisions constitute final agency action. 20 U.S.C. 107d-1. The Act also makes these decisions matters of public record and requires their publication in the *Federal Register*. 20 U.S.C. 107d-2(c).

The Department publishes lists of Randolph-Sheppard Act arbitration panel decisions in the *Federal Register*. The full texts of the decisions listed are available on the Department's website (see below) or by request (see 82 FR 41941 (Sept. 5, 2017)). Older, archived decisions are also added to the Department's website as they are digitized.

Throughout 2022, the Department received and posted four new decisions issued by Randolph-Sheppard arbitration panels. In addition, the Department posted seven older decisions issued between March 2016 and December 2021. The following table lists these 11 decisions from most recent to oldest based on their decision dates.

Case Name	Docket No.	Date	State
South Carolina Commission for the Blind v. United States Marine Corps	R-S/19-01	8/31/2022	South Carolina
Balani et al. v. California Department of Rehabilitation	R-S/19-05	8/8/2022	California
Bechtel v. Washington State Services for the Blind	R-S/20-02	4/4/2022	Washington
Utah Services for the Blind and Visually Impaired v. United States Department of the Air Force, Hill Air Force Base	R-S/20-04	2/14/2022	Utah
Kneip v. Idaho Commission for the Blind and Visually Impaired	R-S/16-03	11/10/2021	Idaho
Mitchell v. Louisiana Workforce Commission	R-S/16-11	4/30/2021	Louisiana
Missouri Department of Social Services, Rehabilitation Services for the Blind v. United States Department of the Army, Fort Leonard Wood	R-S/16-13	5/1/2019	Missouri
Henderson v. Missouri Department of Social Services, Rehabilitation Services for the Blind	R-S/15-02	10/13/2016	Missouri
Crocker v. California Department of Rehabilitation	R-S/13-11	8/10/2016	California
Brown v. Illinois Department of Human Services	R-S/13-10	4/5/2016	Illinois
Oregon Commission for the Blind and Visually Impaired v. General Services Administration	R-S/13-12	3/2/2016	Oregon

These decisions and other decisions that we have already posted are searchable by key terms, are accessible under Section 508 of the Rehabilitation Act, and are

available in Portable Document Format (PDF) on the Department's website at <https://rsa.ed.gov/about/programs/randolph-sheppard-vending-facility-program/decisions-of-arbitration-panels> or by request to the person listed under FURTHER INFORMATION CONTACT.

Accessible Format: On request to the program contact person listed under FOR FURTHER INFORMATION CONTACT, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the *Federal Register* and the Code of Federal Regulations at [www.govinfo.gov](http://www.govinfo.gov). At this site you can view this document, as well as all other documents of this Department published in the *Federal Register*, in text or PDF. To use PDF, you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the *Federal Register* by using the article

search feature at [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

**Katherine Neas,**

*Acting Assistant Secretary for the Office of Special Education and Rehabilitative Services.*

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